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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/026,557	12/27/2001	Yoshiko Akazawa	1083.1084	9898
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21171 7590 10/31/2005

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EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/026,557	Applicant(s) AKAZAWA ET AL.	
	Examiner Victor Lesniewski	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 8/8/2005 has been placed of record in the file.
2. Claims 3, 5, and 7 have been amended.
3. The rejection of claims 3, 5, and 7 under 35 U.S.C. 112 is withdrawn in view of the amendment.
4. Claims 17 and 18 have been added.
5. Claims 1-18 are now pending.
6. The applicant's arguments with respect to claims 1-16 have been fully considered but they are not persuasive. A detailed discussion is set forth below.

Response to Amendment

7. Claims 3, 5, and 7 have been amended to correct a lack of antecedent basis. The amendment does not prove a change in scope to the limitations of claims 3, 5, and 7.

Claim Rejections

8. Claims 1-16 remain rejected as presented in the previous action dated 5/6/2005.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erickson (U.S. Patent Number 6,807,534) in view of Leong et al. (U.S. Patent Number 6,557,039), hereinafter referred to as Leong.

11. Erickson disclosed a system for managing copyrighted electronic media that allows authors to publish their works on line and set permissions concerning other users that can access them. In an analogous art, Leong disclosed a system for managing user access to shared information in distributed archives.

12. Concerning claim 17, Erickson did not explicitly state format information corresponding to recipient information for each recipient. Although Erickson does state storing format information for each document to be provided, he does not make clear a direct correspondence between the format information and the recipient information. However, correlating format and recipient information in such a system was well known in the art as evidenced by Leong. Leong's system utilizes a delivery format attribute that tracks what document format is used for each user. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Erickson by adding the ability to utilize format information corresponding to recipient information as provided by Leong. Here the combination satisfies the need for improved methods for managing copyrighted electronic media. See Erickson, column 2, lines 61-64.

13. Thereby, the combination of Erickson and Leong discloses:

- <Claim 17>

A method for providing requested information to authorized recipients, comprising:
storing, in computer-readable storage accessible by at least one server, provision

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information accessible by authorized recipients, recipient information indicating what in the provision information each of the authorized recipients is authorized to receive (Erickson, column 10, line 65 through column 11, line 16), and format information corresponding to the provision information and recipient information indicating in what format the provision information can be provided to each of the authorized recipients (Erickson, column 11, lines 48-55 and Leong, column 9, lines 30-32 and column 12, lines 38-45); receiving, by the at least one server from a requesting terminal device, a request for at least one item of the provision information and a recipient identifier (Erickson, column 11, lines 33-40); and transmitting, from the at least one server towards the requesting terminal device, requested provision information in a registered provision format (Erickson, column 13, lines 19-33) if the recipient information indicates that permission to access the requested provision information in the registered provision format has been granted to the recipient identifier (Erickson, column 12, lines 60-65).

- <Claim 18>

A method as recited in claim 17, further comprising: receiving, by the at least one server from a providing terminal device, a provider name for a provider of new provision information (Erickson, column 24, lines 2-20); and accepting, by the at least one server for storage in the computer-readable storage if the provider name is authorized according to the recipient information, the new provision information (Erickson, column 24, lines 42-48), authorized recipient information identifying at least one recipient who is authorized to receive the new provision information (Erickson, column 24, lines 21-25), and at least one indication of an authorized format in which the new provision

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information is to be provided to the at least one recipient (Erickson, column 22, lines 50-55 and 59-61).

Since the combination of Erickson and Leong discloses all of the above limitations, claims 17 and 18 are rejected.

Response to Arguments

14. In the remarks, the applicant has argued:

- <Argument 1>

Icken et al. (U.S. Patent Number 6,839,878), hereinafter referred to as Icken, does not disclose the features of claim 1 because he does not disclose “a provision format of said provision information to be applied to said recipient” as recited in claim 1.

- <Argument 2>

Icken does not disclose the features of claim 1 because he does not disclose “a registered provision information corresponding to the registered provision format based on said received recipient information” as recited in claim 1.

15. In response to argument 1, Icken does disclose a provision format as recited in claim 1.

The previous line citations, column 3, line 64 through column 4, line 2 and column 4, lines 15-24, show that a user is assigned a role, various attributes, and various logic values, inter alia.

This data is organized by the access control engine (figure 1, item 12). The display component's logic is one example of logic values determined in the system based on the processing done by the access control engine. See column 4, lines 58-66, also cited for claim 1. Here the display components meet the limitations of a provision format as claimed. For further clarification, it is

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also noted that Icken's system specifically states that the display is dynamically tied to the user's roles and the selected content. See column 5, lines 2-4. In terms of the provision format being transmitted by the terminal device, it is again noted that the previous line citations state that the access control engine uses data inputted from a user, or other external source.

16. In support of the argument, the applicant has stated that "There is no mention of how the content is formatted." However, as seen from the above, Icken does go into detail about selecting display components and building a display. For further clarification the applicant is directed to column 4, line 38 through column 5, line 4, parts of which have already been cited. Specifically, it is noted that Icken discusses the display mechanism as being used to create, build, and modify the display. Icken states that the display mechanism effects "a dynamic change in display based on various selected content and display components provided for by a user input which, in turn, is forwarded to the access control engine." Again, the display components can be seen as satisfying the limitations of the provision format.

17. In response to argument 2, Icken does disclose a registered provision format as recited in claim 1. The previous line citation, column 4, lines 58-66, shows that the selection mechanism selects display components based on the resolved control structures. The resolved control structures are conveyed by the access control engine and, as seen above, the display components are tied to a user's role. Here the fact that a user has a role is seen as meeting the limitation that a user is registered in the system. As previously cited, it is seen in column 4, lines 15-24 that the user is registered in that "the access control structure table assigns to a particular user or users a role, various attributes, logic values," etc. As above, the display components meet the limitations of a provision format.

18. In support of the argument, the applicant has stated that “most systems, like what is apparently disclosed in Icken et al., store information to be supplied to users in only one format.” As discussed above, it is maintained that multiple display components, and thus multiple displays, in Icken’s system would satisfy the limitation of multiple formats. However, it is also noted that claim 1 does not necessarily require multiple formats. The applicant’s statement seems to imply that the current invention involves multiple formats, but this is not a limitation of the claims. It can be seen that even if Icken’s system supplies information to users in only one format, as the applicant supposes, it could still meet the limitations of claim 1 because the method of claim 1 could be carried out with only one format. It is recommended that the applicant consider amending the claim to more clearly distinguish the present invention over the prior art.

19. The applicant has also stated that “No suggestion of restricting access by format of information has been found in the applied art.” However, it is noted that “restricting access by format of information” is not a limitation of the claim. The applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

20. In addition, the applicant has argued that claims rejected under 35 U.S.C. 102 and 35 U.S.C. 103, but not explicitly discussed, are allowable based on the above arguments. Thus, claims disclosing similar limitations to the discussed claims and related dependent claims remain rejected under the same reasoning as presented above.

Conclusion

21. The applicant's amendment necessitated the new grounds of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

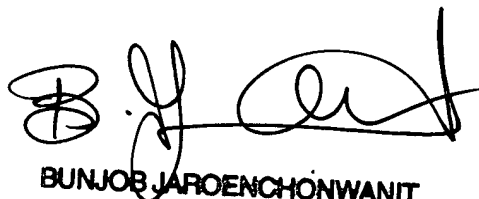
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor Lesniewski
Patent Examiner
Group Art Unit 2152



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PRIMARY EXAMINER